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5-17-01  
MT

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PAUL TURPIN,

CIVIL NO. 1:CV-01-0168

Petitioner

v.

IMMIGRATION and NATURALIZATION  
SERVICE,

Respondent

FILED  
HARRISBURG, PA

MAY 17 2001

MARY E. D'ANDREA, CLERK  
Per MT  
Deputy Clerk

O R D E R

The court held an oral argument with counsel for the parties on May 16, 2001, to address Petitioner's equal protection argument regarding INA § 212(h), codified at 8 U.S.C. § 1182(h). At oral argument, counsel for Respondent indicated that Petitioner's past criminal history precludes him from seeking a § 212(h) waiver and, therefore, Petitioner lacks standing to present his equal protection argument. As a result, the court discontinued the oral argument to allow the parties to provide the court with briefing concerning the jurisdictional issue.

Accordingly, **IT IS HEREBY ORDERED THAT:**

- (1) Respondent shall supplement the record and submit an amended response to Petitioner's amended habeas petition no later than May 25, 2001.
- (2) Petitioner may file a reply brief no later than June 5, 2001.

  
Sylvia H. Rambo  
United States District Judge

Dated: May 17, 2001.

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

May 17, 2001

Re: 1:01-cv-00168 Turpin v. Immigration and Natu

True and correct copies of the attached were mailed by the clerk to the following:

Paul Turpin  
CTY-PIKE  
HC 8, Box 8601  
Hawley, PA 18428-8610

Daniel Isaiah Siegel, Esq.  
100 Chestnut St.  
Suite 306  
Harrisburg, PA 17101

Dulce Donovan, Esq.  
U.S. Attorney's Office  
228 Walnut Street,  
P.O. Box 11754  
Harrisburg, PA 17108

cc:			
Judge	(X)	( )	Pro Se Law Clerk
Magistrate Judge	( )	( )	INS
U.S. Marshal	( )	( )	Jury Clerk
Probation	( )		
U.S. Attorney	( )		
Atty. for Deft.	( )		
Defendant	( )		
Warden	( )		
Bureau of Prisons	( )		
Ct Reporter	( )		
Ctroom Deputy	( )		
Orig-Security	( )		
Federal Public Defender	( )		
Summons Issued	( )	with N/C attached to complt. and served by:	
		U.S. Marshal ( )	Pltf's Attorney ( )
Standard Order 93-5	( )		
Order to Show Cause	( )	with Petition attached & mailed certified mail	
		to: US Atty Gen ( )	PA Atty Gen ( )
		DA of County ( )	Respondents ( )
Bankruptcy Court	( )		

Other \_\_\_\_\_ ( )

MARY E. D'ANDREA, Clerk

DATE: May 17th, 2001

BY:

  
Deputy Clerk